



Notice of Service of Process

AYH / ALL
Transmittal Number: 24609903
Date Processed: 03/14/2022

Primary Contact: Andrew Goldberger
Cyprex Services, LLC
525 Grand Regency Blvd.
Brandon, FL 33510-3932

Electronic copy provided to: Sonja Wright

Entity: Cyprex Services, LLC
Entity ID Number 2704679

Entity Served: Cyprex Services, LLC

Title of Action: Maxine Felder Pugh, personal representative of The Estate Of Mack Allen Pugh vs. MTGLQ Investors, L.P

Matter Name/ID: Maxine Felder Pugh, personal representative of The Estate Of Mack Allen Pugh vs. MTGLQ Investors, L.P (12097341)

Document(s) Type: Summons and Amended Complaint

Nature of Action: Wrongful Death

Court/Agency: Horry County Court of Common Pleas, SC

Case/Reference No: 2022-CP-26-00425

Jurisdiction Served: Florida

Date Served on CSC: 03/11/2022

Answer or Appearance Due: 30 Days

Originally Served On: South Carolina Secretary of State on 03/04/2022

How Served: Certified Mail

Sender Information: McWhirter, Bellinger & Associates, P.A.
803-359-5523

Information contained on this transmittal form is for record keeping, notification and forwarding the attached document(s). It does not constitute a legal opinion. The recipient is responsible for interpreting the documents and taking appropriate action.

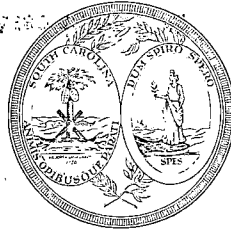
To avoid potential delay, please do not send your response to CSC

251 Little Falls Drive, Wilmington, Delaware 19808-1674 (888) 690-2882 | sop@cscglobal.com

State of South Carolina
Office of the Secretary of State
The Honorable Mark Hammond

1205 PENDLETON STREET, SUITE 525
COLUMBIA, SC 29201

803-734-2170
sos.sc.gov



March 7, 2022

ELECTRONIC CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Cyprex Services, LLC
Corporation Service Company
1201 Hays Street
Tallahassee, FL 32301

RE: Cyprex Services, LLC, 2022-CP-26-00425

Dear Madam/Sir:

In accordance with South Carolina Code § 33-44-1008, we are enclosing herewith a copy of the Amended Summons & Amended Complaint in the above-entitled case. Service was accepted on March 4, 2022 and a copy has been duly filed in our office as of this date. The fee of \$10.00 has been paid.

Yours very truly,

Kaitlin Flak
South Carolina Secretary of State's Office

Enclosures

cc: McWhirter, Bellinger & Associates, P.A.
Emma B. Taylor
119 East Main St.
Lexington, SC 29072

ELECTRONICALLY FILED - 2022 Feb 24 4:24 PM - Horry - COMMON PLEAS - CASE#2022CP2600425

STATE OF SOUTH CAROLINA)
COUNTY OF HORRY)
)
)
Maxine Felder Pugh, Personal)
Representative of the Estate of)
Mack Allen Pugh, deceased,)
)
Plaintiff,)
)
-vs-)
)
MTGLQ Investors, L.P., Mortgage)
Contracting Services, LLC, Cyprexx)
Services, LLC, and Newrez, LLC)
d/b/a Shellpoint Mortgage Serving,)
)
Defendants.)
_____)

IN THE COURT OF COMMON PLEAS
FIFTEENTH JUDICIAL CIRCUIT

CASE NO. 2022-CP-26-00425

**AMENDED SUMMONS
(JURY TRIAL REQUESTED)**

RECEIVED
MAR 04 2022

BY: _____

TO: THE ABOVE-NAMED DEFENDANTS:

YOU ARE HEREBY SUMMONED and required to answer the Complaint in this action, a copy of which is herewith served upon you, and to serve a copy of your Answer to the said Complaint on the Plaintiff's attorney, Emma B. Taylor, 119 East Main Street, Lexington, SC 29072-3420, within thirty (30) days after the service hereof, exclusive of the day of such service, and if you fail to answer the Complaint within the time aforesaid, the Plaintiff in this action will apply to the Court for the relief demanded in this Complaint.

McWHIRTER, BELLINGER & ASSOCIATES, P.A.

By: s/Emma B. Taylor
Emma B. Taylor (SC Bar # 104269)
119 East Main Street
Lexington, South Carolina 29072
(803) 359-5523 Phone
(803) 996-9080 Fax
Emma@mcwhirterlaw.com
Attorney for the Plaintiff

Lexington, South Carolina
February 24, 2022

STATE OF SOUTH CAROLINA)
)
 COUNTY OF HORRY) IN THE COURT OF COMMON PLEAS
 FIFTEENTH JUDICIAL CIRCUIT

Maxine Felder Pugh, Personal)
 Representative of the Estate of)
 Mack Allen Pugh, deceased,) CASE NO. 2022-CP-26-00425
)
 Plaintiff,)
)
 -vs-)
)
 MTGLQ Investors, L.P., Mortgage)
 Contracting Services, LLC, Cyprexx)
 Services, LLC, and Newrez, LLC)
 d/b/a Shellpoint Mortgage Serving,)
)
 Defendants.)
)

**AMENDED COMPLAINT
 (JURY TRIAL DEMANDED)**

TO: THE ABOVE-NAMED DEFENDANTS:

The Plaintiff, Maxine Felder Pugh, Personal Representative of the Estate of Mack Allen Pugh, complaining of Defendants, upon information and belief would show the following:

1. The Plaintiff, Maxine Felder Pugh, is a citizen and resident of Pinewood, Sumter County, South Carolina, and is the duly appointed Personal Representative of the Estate of her deceased son, Mack Allen Pugh. Plaintiff brings this action on behalf of his Estate for damages recoverable by the statutory beneficiaries

2. The deceased, Mack Allen Pugh, was a citizen and resident of Richland County, South Carolina at the time of the actions complained of herein;

3. Defendant MTGLQ Investors, L.P., (hereinafter "MTGLQ") is a limited partnership organized in the State of South Carolina and duly authorized to do business in South Carolina, that maintains agents and servants in South Carolina;

4. Defendant Cyprexx Services, LLC, (hereinafter, also "Cyprexx") is a foreign limited liability company organized in the State of Florida, hired by MTGLQ as a property preservation service.

5. Defendant Mortgage Contracting Services, LLC, (hereinafter, also, “MCS”) is a foreign limited liability company organized in the State of Delaware and duly authorized to do business in South Carolina, that maintains agents and servants in South Carolina;

6. At all times relevant to this Complaint, Defendant Shellpoint Mortgage Servicing (hereinafter, also “SMS”) was a business with its main office located at 75 Beattie Place, Suite 300, in Greenville, State of South Carolina but is not registered to do business under this name with the South Carolina Secretary of State. Upon information and belief, SMS is owned by Newrez, LLC, a foreign limited liability company organized in the State of Delaware and duly authorized to do business in South Carolina, that maintains agents and servants in South Carolina;

7. Venue is proper in Horry County, South Carolina, pursuant to S.C. Code Ann. § 15-7-30(E)(2);

8. Defendant MTGLQ Investors, L.P., is properly named herein;

9. Defendant Mortgage Contracting Services, LLC, is properly named herein;

10. Defendant Cyprexx Services, LLC, is properly named herein;

11. Defendant Newrez, LLC, d/b/a Shellpoint Mortgage Servicing is properly named herein;

12. On the date and time of this incident, MTGLQ owned, operated, and maintained the property located at 1616 Highway 348, Loris, Horry County, South Carolina 29569 (hereinafter, also, “the property”) consisting of a two-story house with multiple wooden decks built into both stories;

13. Upon information and belief, on the date and time of this incident, Newrez LLC d/b/a SMS managed the property;

14. Upon information and belief, Defendant Cyprexx was hired by MTGLQ for preservation of the property;

15. Upon information and belief, Defendant MCS was hired by Cyprex since MCS is registered to do business in South Carolina and Cyprex is not, to Plaintiff's knowledge;

16. Upon information and belief, Orial Group, LLC, (hereinafter "Orial") was hired by MCS to clean the property;

17. On or about March 2, 2019, Mack Allen Pugh was employed by Orial performing cleaning and maintenance on rental properties;

18. On the date of this incident, Mr. Pugh was helping Bruce Edward Richardson, co-owner of Orial, clean up the above-mentioned property.

19. As Mr. Pugh was cleaning the property, he stepped out onto a second-floor balcony to sweep off some debris, as suggested by coworker Chris Hills. The balcony collapsed underneath him, causing him to fall to the ground;

20. The Defendants, their employees and agents, as owners and/or those responsible for maintaining the property, owed the Plaintiff a duty to maintain the premises in a reasonably safe condition;

21. The Defendants, their employees and agents, as owners and/or those responsible for maintaining the property, owed a duty of care to Mr. Pugh to discover dangerous conditions, take safety precautions, and warn of, or eliminate, unreasonable dangerous conditions;

22. Defendants had actual or constructive notice of the deteriorating and poorly-maintained balcony;

23. As a direct and proximate result thereof, Mr. Pugh suffered great physical harm and injury to his back, neck, head, abdomen, and other parts of his body, which caused him to undergo much physical pain, suffering, mental anguish, emotional distress and impairment of bodily efficiency, caused Mr. Pugh to spend money for medical services and he also suffered permanent impairment;

24. The Defendants were, careless, grossly negligent, and reckless at the time and place above-mentioned in the following particulars:

- a. In failing to exercise reasonable or ordinary care for the Plaintiff's and other invitees' safety;
- b. In failing to keep the property, specifically the balcony, in a reasonably safe condition;
- c. In failing to warn the Plaintiff and other invitees of the latent and hidden dangers of the balcony of which the Defendants knew or should have known;
- d. In failing to discover the deteriorating condition of the balcony and take safety precautions to warn the Plaintiff and other invitees on the Defendant's premises;
- e. In failing to eliminate foreseeable and unreasonable risks which endangered the Plaintiff and others legally on the premises;
- f. In failing to maintain the property in compliance with building codes and industry standards;
- g. In failing to regularly inspect the premises, or alternatively, in failing to act upon information gained during its inspection that the balcony was in need of repair;
- h. In failing to exercise the degree of care which a reasonable and prudent business owner would exercise under the same or similar circumstances;
- i. In failing to take corrective measures to repair the balcony as to maintain a safe means of standing on the balcony;
- j. In failing to inspect, maintain, manage, and supervise the premises to ensure that it was fit for the foreseeable use by its invitees, renters, and others legally on the premises;
- k. In failing to provide warnings and/or visual clues to alert the Plaintiff and other invitees of the fall hazard and the existence of the excessively loose porch;

- l. In failing to exercise reasonable care to discover the defective condition of the porch which had existed for an extensive amount of time before the Plaintiff fell and injured himself when the balcony fell;
- m. In such other particulars as the evidence at trial may show.

All of which were the direct and proximate cause of the injuries and damages suffered by the Plaintiff, said acts being in violation of the Statute and Common Laws of the State of South Carolina.

28. As a result of the careless, negligent, grossly negligent, reckless, willful, wanton, and/or illegal acts and/or omissions of Defendant as set out above, Mack Pugh's beneficiaries, as represented by Plaintiff, have suffered injuries, which have caused and in the future will cause, his beneficiaries to suffer one or more of the following elements of damage as to the wrongful death claim:

- a. Pecuniary loss;
- b. Mental shock and suffering;
- c. Wounded feelings;
- d. Grief and sorrow;
- e. Loss of companionship; and
- f. Deprivation of use and comfort of Mack Pugh's society, including loss of his experience, knowledge, and judgment in managing the affairs of himself and her beneficiaries;

29. In addition, as a direct and proximate result of Defendants' careless, negligent, grossly negligent, reckless, willful, wanton, and/or illegal acts and/or omissions, Mack Pugh suffered injuries, which caused him to suffer one or more of the following elements of damage as to his survival action claim:

- a. Physical pain;
- b. Suffering;

- c. Mental anguish; and
- d. Emotional distress.

25. The Plaintiff is informed and believes that they are entitled to judgment.

WHEREFORE, Plaintiffs pray for judgment for actual damages, for punitive damages in an appropriate amount, for the costs of this action, and for such other and further relief as the Court may deem just and proper.

McWHIRTER, BELLINGER & ASSOCIATES, P.A.

By: s/Emma B. Taylor
Emma B. Taylor (SC Bar # 104269)
119 East Main Street
Lexington, South Carolina 29072
(803) 359-5523 Phone
(803) 996-9080 Fax
Emma@mcwhirterlaw.com
Attorneys for the Plaintiff

Lexington, South Carolina
February 24, 2022

State of South Carolina

OFFICE OF

MARK HAMMOND

Secretary of State

1205 Pendleton Street, Suite 525

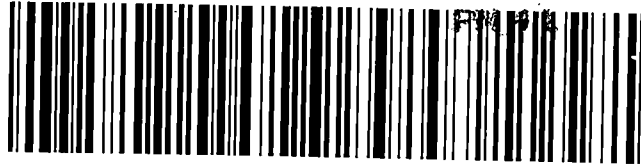
COLUMBIA, SC 29201

Ref: SOP

COLUMBIA

USPS CERTIFIED MAIL

07 MAR '22



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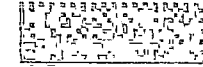
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03/07/2022

U.S. POSTAGE

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ZIP 29201
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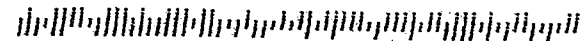
CYPREXX SERVICES LLC

ATTN: CORPORATION SERVICE COMPANY

1201 HAYS ST

TALLAHASSEE FL 32301-2699

32301-269999



Certificate of Electronic Notification

Recipients

Emma Taylor - Notification transmitted on 02-24-2022 04:25:29 PM.

******* IMPORTANT NOTICE - READ THIS INFORMATION *******
NOTICE OF ELECTRONIC FILING [NEF]

-

A filing has been submitted to the court RE: 2022CP2600425

Official File Stamp: 02-24-2022 04:24:42 PM

Court: CIRCUIT COURT

Common Pleas

Horry

Case Caption: Maxine Felder Pugh , plaintiff, et al VS MTGLQ
Investors LP

Document(s) Submitted: Amended/Amended Summons And Complaint

Filed by or on behalf of: Emma Britt Taylor

This notice was automatically generated by the Court's auto-notification system.

-

The following people were served electronically:

Emma Britt Taylor for Maxine Felder Pugh et al

The following people have not been served electronically by the Court. Therefore, they must be served by traditional means:

MTGLQ Investors LP